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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

UNITED MICROELECTRONICS
CORPORATION, et al.

Defendants.

) Case No. 3:18-CR-00465 MMC

)
) **JOINT STIPULATION AMENDING**
) **DEADLINES FOR PARTIES TO MAKE**
) **CERTAIN RULE 16 EXPERT WITNESS**
) **DISCLOSURE AND RELATED DAUBERT**
) **MOTIONS AND [PROPOSED] ORDER**

)
)
) Judge: The Honorable Maxine M. Chesney
) Courtroom: 7, 19th Floor
) Trial Date: February 14, 2022

1 The United States and defendant Fujian Jinhua Integrated Circuit Co., Ltd. (“Jinhua”)
 2 (collectively, the “Parties”), by and through their undersigned counsel, stipulate to the following and
 3 respectfully request the Court to enter an order amending the date for the United States’ rebuttal labor-
 4 law expert witness disclosure, pursuant to Rule 16 of the Federal Rules of Criminal Procedure, and
 5 amending the deadline for labor-law expert Daubert motions:
 6

7 WHEREAS, on July 23, 2021, the Parties stipulated that Jinhua’s expert witness disclosures should
 8 be extended to be due on September 10, 2021 and the United States’ rebuttal expert disclosures should be
 9 extended to be due on October 15, 2021 (Dkt. 207);

10 WHEREAS, on July 26, 2021, the Court entered the Parties’ Proposed Order adopting the current
 11 case schedule, including the above-mentioned deadlines for Jinhua’s expert disclosures and the United
 12 States’ rebuttal expert disclosures (Dkt. 209 at 4);

13 WHEREAS, on September 8, 2021, the Court entered the Parties’ Proposed Order amending the
 14 deadline for Jinhua to disclose its foundry/industry expert to October 22, 2021; for the United States to
 15 disclose its rebuttal to that disclosure on November 29, 2021; and for related Daubert motions with respect
 16 to the parties’ foundry experts to December 6, 2021 (Dkt. 216);

17 WHEREAS, the United States has requested additional time to submit its rebuttal expert disclosure
 18 with respect to Jinhua’s labor-law expert, Professor Jiang Ying;

19 WHEREAS, Jinhua has agreed to the United States’ requested extension, providing that the United
 20 States agrees to a short extension of Jinhua’s deadline for any Daubert motion as to that rebuttal expert;

21 WHEREAS, the Parties have agreed that the Government’s rebuttal labor-law expert witness
 22 disclosure, pursuant to Rule 16(a)(1)(G), should now be due on November 15, 2021, and the Parties’
 23 Daubert motions as to labor-law experts should now be due on December 6, 2021;

24 WHEREAS, the Parties stipulate and agree that the stipulation above does not change the
 25 disclosure dates for any other expert witnesses or Daubert motions (the latter of which are due on
 26 December 1, 2021 except for the Daubert motion with respect to the parties’ foundry/industry experts
 27 (Dkt. 160 at 3) which are due on December 6, 2021);

28 JOINT STIPULATION AMENDING DEADLINES FOR CERTAIN EXPERT WITNESS DISCLOSURES PURSUANT
 TO RULE 16 AND RELATED DAUBERT MOTIONS AND [PROPOSED] ORDER
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1 WHEREAS, the Parties have agreed not to change the opposition or reply briefing schedule dates
2 for any Daubert motions; and

3 WHEREAS, Jinhua and the United States do not believe that this brief extension of the labor-law
4 rebuttal expert disclosure deadline and Daubert motions for labor-law experts will delay the pre-trial
5 schedule or the current trial date;

6 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the
7 undersigned counsel for Jinhua and the United States, that:

- 8 1. The deadline for the United States to make its rebuttal expert disclosures to Jinhua's labor-
9 law expert should be moved to November 15, 2021; and
- 10 2. The deadline for Daubert motions on labor-law experts should be moved to December 6,
11 2021.

12 SO STIPULATED AND AGREED.

13 Dated: October 6, 2021

Respectfully Submitted,

14 STEPHANIE M. HINDS
15 Acting United States Attorney

16 /s/ Nicholas Walsh
17 LAURA VARTAIN HORN
18 NICHOLAS WALSH
Assistant United States Attorneys

19 NICHOLAS O. HUNTER
20 STEPHEN MARZEN
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21 /s/ Matthew E. Sloan
22 JACK P. DICANIO
23 MATTHEW E. SLOAN
24 Attorney for Defendant
25 Fujian Jinhua Integrated Circuit Co. Ltd.
26
27

[PROPOSED] ORDER


Good cause appearing, as set forth in the parties' Joint Stipulation, the Court hereby sets the following amended dates for the Parties' expert witness disclosures, pursuant to Rule 16 of the Federal Rules of Criminal Procedure, and deadlines for Daubert motions:

Event	Date
United States' Rebuttal Expert Witness Disclosure for Jinhua's Labor-Law Expert	November 15, 2021
Daubert Motions except for DRAM Foundry/Industry Experts and Labor-Law Experts	December 1, 2021 (as scheduled)
Daubert Motions for DRAM Foundry/Industry Experts and Labor-Law Experts	December 6, 2021

The remaining dates set in the Court's Pre-Trial Order (Dkt. 160) remain in effect.

IT IS SO ORDERED.

Dated: October 7, 2021


 MAXINE M. CHESNEY
 United States Senior District Judge